S.B.Cr.Misc. II Bail App. No. 4956/2007
(Pradeep Singh Vs. State of Rajasthan)

Date of order : 03/10/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. B.S.Rathore for the petitioner.

Mr. V.R.Mehta Public Prosecutor.

This is second bail application. After rejecting the earlier bail application, learned counsel for the petitioner submits that the prosecutrix has been examined by the trial court as PW-1. She has denied the entire prosecution case and categorically stated that neither the petitioner took her away forcibly nor he committed rape on her. She was declared hostile by the public prosecutor and cross-examined, yet she did not support the prosecution case.

I have carefully gone through the statement of the prosecutrix PW-1.

Looking to the facts and circumstances of the case and having considered the oral arguments advanced by both the parties, in view of the statement of the prosecutrix, since the prosecutrix herself has denied the prosecution case, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Pradeep Singh S/o Chain Singh be released on bail in CR No. 98/2007 P.S. Dangiawas, district Jodhpur, provided he executes a personal bond for a sum of Rs. 20,000/- with two sound and solvent sureties in the sum of Rs.

10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP